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& Copyrights*

September 21, 2008

Commissioner for Patents
PO Box 1450
Alexandra, VA 22313-1450

Re: U.S. Patent Application for:
NIGHT VIEWER ACCOMMODATING MULTIPLE IMAGE TUBE
TYPES

Applicant(s):	Michael J. Rosendaut; Wayne Isbell; James G. Winkel; and David W. Buck
Serial Number:	10/707051
Confirmation No.:	1050
Filing Date:	November 18, 2003
Group Art Unit:	2878
Examiner:	Davienne N. Monbleau

Dear Sir:

STATUS REQUEST

To date Applicants have received no response to its Submission of Corrected Appeal Brief filed and fees paid on January 16, 2008 in the above referenced application. Applicants respectfully request the status of its application and an estimate, if possible, when to expect the response to Applicants' request that the Notice of Abandonment be withdrawn and that the process before the Board of Appeals continue.

The normal time period for a response to the Notification of Non-Compliant Appeal Brief, mailed September 18, 2007, expired on October 18, 2007. The PTOL-462 form indicated

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that "extensions of this time period may be granted under 37 CFR 1.136." A three month extension to the time period for a response would terminate January 18, 2008.

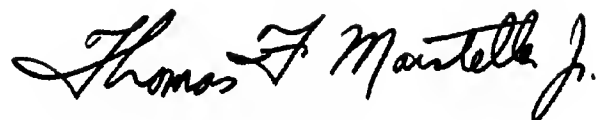
The appeal brief filed on January 16, 2008 was within the permitted three month extension period from response date to the original mailing date of the Notification of Non-Compliant Appeal Brief, mailed September 18, 2007, and the proper fee for the three month extension was timely paid.

Applicants requested that both the Notice of Abandonment and the underlying dismissal of the appeal for failure to file a compliant appeal brief be withdrawn and the appeal process be reinstated.

Thank you for your help in this matter.

If there are any questions, please call.

Sincerely,

A handwritten signature in black ink that reads "Thomas F. Marsteller, Jr." in a cursive script.

Thomas F. Marsteller, Jr.
Registration No. 29,672